

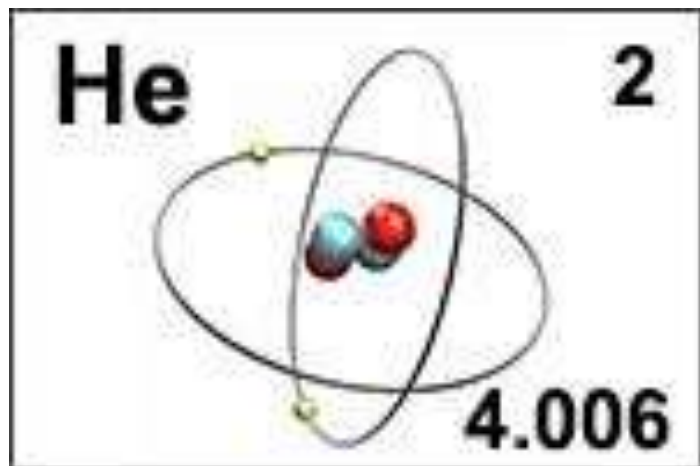
BLM

Amarillo Field Office

Notice of Helium Auction

Notice Date: July 23, 2014

Bureau of Land Management
Amarillo Field Office
801 Fillmore Street, Suite 500
Amarillo, TX 79101
www.blm.gov/nm/helium



NOTICE OF HELIUM AUCTION

The Bureau of Land Management (BLM), Amarillo Field Office, is pleased to announce that we will offer for competitive auction a portion of the remaining supply of 8.6 Billion Cubic feet (as of January 2014) of federally-owned crude helium in the Federal Helium Reserve stored underground at the Cliffside Field, north of Amarillo, TX. This auction is in accordance with the Helium Stewardship Act of 2013, Public Law 113-40, passed by Congress in October 2013. A Final Notice: Implementation of Helium Stewardship Act Sales and Auction was published in the *Federal Register* on July 23, 2014. The *Federal Register* Notice describes the nature and scope of the sales and auctions, and the eligibility requirements for bidding.

This notice describes:

- The amount of helium to be auctioned;
- The time and place of the auction;
- How the sale will be conducted;
- How to participate in the bidding process;
- The auction process;
- How long the auction will last; and
- The conditions of the auction.

How much helium will be sold at this auction?

In this auction, the BLM anticipates auctioning 92,813,000 cubic feet for FY2015. That volume will be divided as follows and in this order:

- (6) lots of 10,000,000 cubic feet each
- (5) lots of 5,000,000 cubic feet each
- (1) lot of 7,813,000 cubic feet

When and where will the sale take place?

When: The competitive sale will begin at **2:00 p.m.** on **Wednesday, July 30, 2014**. Staff of the business office of the Bureau of Land Management, Amarillo Field Office, will register all bidders at the sale site. Registration will start at 1:00 p.m. through 2:00 p.m., when you can obtain your bidding number.

Where: We will hold the auction in Amarillo, Texas at the **Amarillo Field Office, 801 S. Fillmore, Suite 500, Amarillo, TX 79101**. The phone number for the Amarillo Field Office is (806) 356-1001.

Live feed: Remotely located personnel can view the auction at www.blm.gov/live during the event or may view a recording of the event later. Once the auction is complete we will post results and a link to the recorded auction on the HSA Implementation website at www.blm.gov/nm/HSAImplementation.

Access: The auction room is accessible to persons with disabilities. If you need an auxiliary aid or service to participate in the sale, such as sign language interpreter or material in an alternate format, contact the BLM Amarillo Field Office, Marji Bourque, at (806) 356-2001 by Tuesday, July 29, 2014.

How will the sale be conducted?

The auction will be conducted by oral auction. You must make your bids verbally. The winning bid is the highest verbal bid equal to or exceeding the minimum acceptable bid. The auctioneer is Mr. James Folkert (Texas Auctioneer's License #12447). Mr. Folkert and the BLM will provide instruction to participants prior to the start of the auction.

How do I participate in the bidding process?

To participate in the Bureau of Land Management (BLM) bidding process, you must register and obtain a bidder number. If you are bidding for more than one party, you must register and obtain a separate bidder number for each company or individual you represent. We will begin registering bidders at 1:00 p.m. on the day of the sale.

When you register to bid, you will be required to show valid government-issued photo identification (ID) to verify your identity. If you do not provide a valid photo ID, you will not be allowed to register as a bidder and participate in the auction.

You will also be asked to sign a statement to confirm that any bid you cast will represent a good-faith intention to purchase the block(s) of helium and that you understand that any winning bid will constitute a legally binding commitment to accept the helium and pay monies owed. Further, you will acknowledge that you understand that it is a crime under 18 U.S.C. 1001 and Title 43 U.S.C. 1212 to knowingly and willfully make any false, fictitious, or fraudulent statements or representations regarding your qualifications, bidder registration and intent to bid, acceptance of the purchase, or payment of monies owed, and that any such offense may result in a fine or imprisonment for not more than 5 years or both.

What is the sale process?

Starting at 2:00 p.m. on the day of the sale:

1. The auctioneer will offer the blocks of helium in the order they are shown in this Notice;
2. All bids are on a per-block basis;
3. The winning bid is the highest oral bid;
4. The decision of the auctioneer is final. However, if you believe the auctioneer has made an error or not acknowledged your bid, you must immediately make your concerns known to the auctioneer. Once the auctioneer has opened the bidding for the specified block of helium, the decisions made on the previous block(s) offered are final.

How long will the sale last?

We begin the sale at 2:00 p.m. and it will continue until all of the blocks of helium in this Notice have been offered. The length of the sale depends on the number of blocks we are offering and the pace of the bidding. We expect that the sale will be done before 5:00 p.m.

What conditions apply to the helium sale?

Invoices for winning bids will be sent out on August 15, 2014. Payment is due no later than September 19, 2014. You cannot withdraw a bid.

If payment of the winning bids is not received by the date and time described in this Notice, the Bureau of Land Management will issue a bill for the monies owed. If payment then is not received by the bill due date, the United States will pursue collection by all available methods, and when appropriate issue late fees, civil penalties, interest, administrative charges and penalties on past due amounts. "All available methods" include, but are not limited to, referral to

collection agencies and credit reporting bureaus, salary or administrative offset, federal and state payments, including goods or services, federal and state tax refunds, and retirement payments. The debt may be sent to the Internal Revenue Service for inclusion as income to you on form 1099C, Cancellation of Debt. (Federal Claims Collection Act of 1966, as amended; The Debt Collection Improvement Act of 1996; 31 CFR 285).

Method of payment: You can pay by personal check, cashier's check, money order, or credit card (Visa, MasterCard, American Express or Discover Card only). Make checks payable to: **"Department of the Interior - BLM."** We cannot accept cash. If a check you have sent to us in the past has been returned for insufficient funds, we may ask that you give us a guaranteed payment, such as a money order. **Note for customers planning to pay with Credit Card, effective June 30, 2012, BLM will not accept credit or debit card payments to the Bureau for any amount greater than \$49,999.99. Payments of \$50,000 or more should be made by Automated Clearing House (ACH) or Federal Wire Transfer. We suggest that no one plan to make a payment of \$50,000 or more by credit card.** If you pay by credit card and the transaction is refused, we will try to notify you early enough so that you can make other payment arrangements. ***However, we cannot grant you any extension of time to pay the money that is due the day of the sale.***

Cellular Phone Usage: You are restricted from using cellular phones in the sale room during the oral auction. You must confine your cellular phone usage to the hallway or area outside the auction room when the auction is taking place.

Other Conditions of the Sale: At the time the sale begins, the auctioneer and the BLM will discuss any rules regarding auction procedures that we feel are necessary for the proper conduct of the auction.

**Bidder Registration Form
Helium Auction**

By completing this form, I certify that the undersigned, or the principal party whom the undersigned is acting on behalf of, is in compliance with the applicable regulations and authorities governing a bid and subsequent purchase. I certify that any bid submitted by the undersigned or on behalf of the principal party is a good faith statement of intention by the undersigned or the principal party to acquire helium from the Federal Helium Reserve. Further, I acknowledge that if a bid is declared the high bid, it will constitute a legally binding commitment to the Bureau of Land Management, and to accept the purchase.

In addition, if a bid is declared the high bid, the undersigned or the principal party will pay to the Bureau of Land Management (BLM) by September 19, 2014, or such other time as may be specified by the authorized officer, an amount at least equal to minimum monies owed for that bid, as set out in applicable regulations. The undersigned and the principal party acknowledge that these monies are due to the Bureau of Land Management as a result of winning the auction. Further, the undersigned and the principal party understand that if payment is not received by the due date, the BLM will issue a bill for monies owed, and if payment is not received, the United States will pursue collection by all appropriate methods, and as appropriate, will assess late fees, civil penalties, interest, administrative charges, and penalties on past due amounts (Federal Claims Collection Act of 1966, as amended; The Debt Collection Improvement Act of 1996; 31 CFR part 285).

The undersigned and the principal party acknowledge that it is a crime under 18 U.S.C. 1001 for any person to knowingly and willfully make any false, fictitious or fraudulent statements or representations as to any matter within the jurisdiction of the government. Any such offense may result in a fine or imprisonment for not more than 5 years, or both.

A separate registration is required for each company or individual you are representing. Please fill in the company/individual name and address as it would appear on any procurement contract. We will send a copy of the contract and billing notices to the name and address as shown below.

Bidder No. (leave blank)

Bidder Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____
(Including area code)

Reason for Bidding: ☐ Wholesaler
☐ Retailer
☐ Distributor
☐ End User

Relationship to Bidder: _____
(Self, Agent, Attorney-in-Fact, President, etc.)

Signature

Date

For BLM Use Only: Type of identification: _____